

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KAREN DICKINSON,

Plaintiff,

v.

Case No. 05-74865
Honorable Patrick J. Duggan

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

OPINION AND ORDER

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on February 16, 2007.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

On December 23, 2005, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying Plaintiff's application for Social Security Disability Insurance Benefits. The parties subsequently filed cross-motions for summary judgment, which this Court referred to Magistrate Judge Wallace Capel Jr. On November 21, 2006, the matter was reassigned to Magistrate Judge Donald A. Scheer.

On January 17, 2007, Magistrate Judge Scheer filed his Report and Recommendation (R&R) recommending that this Court deny Plaintiff's motion for

summary judgment and grant Defendant's motion. At the conclusion of the R&R, Magistrate Judge Scheer advises the parties that they may object to and seek review of the R&R within ten days of service upon them. He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right of appeal.” R&R at 7 (*citing United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985); and *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991)). Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Scheer. Accordingly,

IT IS ORDERED, that Plaintiff's motion for summary judgment is **DENIED**;

IT IS FURTHER ORDERED, that Defendant's motion for summary judgment is **GRANTED**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
Mikel E. Lupisella, Esq.
AUSA Janet L. Parker
Magistrate Judge Donald A. Scheer